



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

11:13 A.M.

THURSDAY, June 18, 2009

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Pro Tempore Staskunas in the chair.

Representative Nelson asked unanimous consent for a quorum call. Granted.

A quorum was present.

The prayer was offered by Representative Toles.

Representative Barca led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer Molepske, Milroy, Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 98.

Absent with leave – Representative Roth – 1.

Vacancies – None.

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### LEAVES OF ABSENCE

Representative Suder asked unanimous consent for a leave of absence for today's session for Representative Roth. Granted.

### LEAVES OF ABSENCE

Representative Barca asked unanimous consent for a leave of absence for part of today's session for Representatives Fields and Grigsby. Granted.

Representative Suder asked unanimous consent for a leave of absence for part of today's session for Representative Lothian. Granted.

Speaker Sheridan in the chair.

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 35** offered by Representative Soletski.

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 171** offered by Representative Kessler.

Assembly substitute amendment 1 to **Assembly Bill 256** offered by committee on **Energy and Utilities**.

Assembly amendment 1 to **Assembly Bill 283** offered by committee on **Public Safety**.

Assembly amendment 1 to **Senate Bill 107** offered by Representative Steinbrink.

Assembly amendment 2 to **Senate Bill 107** offered by committee on **Natural Resources**.

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### COMMITTEE REPORTS

The committee on **Public Safety** reports and recommends:

#### **Assembly Bill 308**

Relating to: police escorts and vehicle rights-of-way related to escorted vehicles and providing a penalty.

Passage:

Ayes: 7 – Representatives Staskunas, Ziegelbauer, Cullen, Berceau, Bies, A. Ott and Nerison.

Noes: 0.

To committee on **Rules**.

*ANTHONY STASKUNAS*

Chairperson

Committee on Public Safety

**CALENDAR OF THURSDAY, JUNE 18**

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**INTRODUCTION AND REFERENCE  
OF PROPOSALS**

Read first time and referred:

**Assembly Joint Resolution 60**

Relating to: the public service of Anthony D. Hardie.

By Representatives Berceau, Hilgenberg, Schneider, Sherman, Petrowski, Ziegelbauer, Milroy, Hebl, Petersen, M. Williams, Townsend, Molepske Jr., Danou, Vruwink, Van Akkeren, Pasch, Gunderson, Hintz, Hubler, J. Fitzgerald, Roth, Garthwaite, Pope–Roberts, Turner, Kleefisch, Sheridan, Nelson, Zepnick, Richards, Nass, Grigsby, Vos, Kaufert, Spanbauer, Gottlieb and Sinicki; cosponsored by Senators Hansen, Lassa, Taylor, Harsdorf, S. Fitzgerald, Cowles, Miller, Wirch, Lehman, Kedzie, Risser, Olsen, Coggs, Plale, Schultz and Lazich.

To committee on **Rules**.

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**CHIEF CLERK REPORTS**

The Chief Clerk records:

**Assembly Bill 122**

**Assembly Bill 123**

**Assembly Bill 124**

Presented to the Governor on Wednesday, June 17.

*PATRICK E. FULLER*  
Assembly Chief Clerk

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**COMMUNICATIONS**

June 11, 2009

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor of Assembly Bill 250, relating to regulation of persons who sell dogs or operate animal shelters or animal control facilities, granting rule-making authority, making an appropriation, and providing a penalty.

If you have any questions about this request, please feel free to call me.

With kindest regards,  
*DALE SCHULTZ*  
State Senator  
17th Senate District

**Assembly Joint Resolution 57**

Relating to: the public service of Anthony D. Hardie.

Representative Nelson asked unanimous consent that **Assembly Joint Resolution 57** be laid on the table. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 60** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Assembly Joint Resolution 60**

Relating to: the public service of Anthony D. Hardie.

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**SPECIAL GUEST**

Representative Berceau introduced Anthony D. Hardie, who addressed the members from the rostrum. Mr. Hardie was accompanied by his parents, David and Lois Hardie, his partner Christopher Guest, Anthony's adopted son Jasmier Morris and fellow Gulf War Veteran, Caroline Morgan.

Representative Sheridan asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 60**. Granted.

The question was: Shall **Assembly Joint Resolution 60** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 60** be immediately messaged to the Senate. Granted.

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Representative Barca asked unanimous consent that the Assembly stand informal. Granted.

The Assembly stood informal.

11:46 A.M.

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**INFORMAL**

12:02 P.M.

The Assembly reconvened.

Speaker Pro Tempore Staskunas in the chair.

Representative Fields asked unanimous consent that his leave of absence be lifted. Granted.

Representative Grigsby asked unanimous consent that her leave of absence be lifted. Granted.

Representative Lothian asked unanimous consent that his leave of absence be lifted. Granted.

**Assembly Joint Resolution 54**

Relating to: proclaiming Cesky Den.

The question was: Shall **Assembly Joint Resolution 54** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 54** be immediately messaged to the Senate. Granted.

### **Senate Joint Resolution 34**

Relating to: the life and public service of Dr. Akbar Ally.

The question was: Shall **Senate Joint Resolution 34** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 34** be immediately messaged to the Senate. Granted.

### **Senate Joint Resolution 35**

Relating to: encouraging the purchase and use of American goods and services with federal economic renewal grants.

The question was: Shall **Senate Joint Resolution 35** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 35** be immediately messaged to the Senate. Granted.

### **Senate Joint Resolution 38**

Relating to: the life and public service of John D. "Jack" Steinhilber.

The question was: Shall **Senate Joint Resolution 38** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 38** be immediately messaged to the Senate. Granted.

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Representative Barca asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

12:14 P.M.

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## **RECESS**

1:48 P.M.

The Assembly reconvened.

Speaker Pro Tempore Staskunas in the chair.

Representative Nelson asked unanimous consent for a quorum call. Granted.

A quorum was present.

### **Assembly Bill 86**

Relating to: authorizing hunting of certain game with a crossbow by nonresidents who have attained the age of 65 years.

The question was: Shall **Assembly Bill 86** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 86** be given a third reading. Granted.

The question was: **Assembly Bill 86** having been read three times, shall the bill be passed?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 86** be immediately messaged to the Senate. Granted.

### **Assembly Bill 222**

Relating to: the minimum age for hunting and for possessing a firearm, restrictions on hunting and on possessing a firearm while hunting, establishing a hunting mentorship program, and granting rule-making authority.

Representative Nelson asked unanimous consent that **Assembly Bill 222** be laid on the table. Granted.

### **Assembly Bill 248**

Relating to: the possession and consumption of alcohol beverages on retail licensed premises in a park in a 1st class city.

The question was: Shall **Assembly Bill 248** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 248** be given a third reading. Granted.

The question was: **Assembly Bill 248** having been read three times, shall the bill be passed?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 248** be immediately messaged to the Senate. Granted.

### **Assembly Bill 129**

Relating to: battery or threat to witnesses and providing penalties.

The question was: Shall **Assembly Bill 129** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 129** be given a third reading. Granted.

The question was: **Assembly Bill 129** having been read three times, shall the bill be passed?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 129** be immediately messaged to the Senate. Granted.

### **Senate Bill 31**

Relating to: the Uniform Prudent Management of Institutional Funds Act, as approved by the National Conference of Commissioners on Uniform State Laws.

The question was: Shall **Senate Bill 31** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 31** be given a third reading. Granted.

The question was: **Senate Bill 31** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 31** be immediately messaged to the Senate. Granted.

### **Senate Bill 112**

Relating to: the possession of green skins of fur-bearing animals, the tagging of traps, and the sale, purchase, bartering, and trade of wild animals and their carcasses.

The question was: Shall **Senate Bill 112** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 112** be given a third reading. Granted.

The question was: **Senate Bill 112** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 112** be immediately messaged to the Senate. Granted.

### **Senate Bill 126**

Relating to: changes to and extension of the Environmental Results Program, extension of the Environmental Improvement Program and the length of a compliance schedule under that program, and reporting requirements for certain environmental programs.

The question was: Shall **Senate Bill 126** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 126** be given a third reading. Granted.

The question was: **Senate Bill 126** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 126** be immediately messaged to the Senate. Granted.

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## **LEAVES OF ABSENCE**

Representative Barca asked unanimous consent for a leave of absence for part of today's session for Representative Berceau. Granted.

### **Senate Bill 167**

Relating to: the minimum age for hunting and for possessing a firearm, restrictions on hunting and on possessing a firearm while hunting, establishing a hunting mentorship program, and granting rule-making authority.

Assembly amendment 1 to **Senate Bill 167** offered by Representative Kaufert.

Representative Gunderson moved that Assembly amendment 1 to **Senate Bill 167** be laid on the table.

The question was: Shall Assembly amendment 1 to **Senate Bill 167** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Mason, Meyer, Milroy Molepske, Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope-Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Zigmunt, Zipperer and Speaker Sheridan – 91.

Noes – Representatives Cullen, Kaufert, Kessler, Krusick, Smith and Ziegelbauer – 6.

Absent or not voting – Representatives Berceau and Roth – 2.

Motion carried.

The question was: Shall **Senate Bill 167** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 167** be given a third reading. Granted.

The question was: **Senate Bill 167** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 167** be immediately messaged to the Senate. Granted.

### **Senate Bill 216**

Relating to: professional employer organizations and professional employer groups.

The question was: Shall **Senate Bill 216** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 216** be given a third reading. Granted.

The question was: **Senate Bill 216** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 216** be immediately messaged to the Senate. Granted.

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### **VISITORS**

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Gens Jorgensen from Fort Atkinson, guest of Representative Hixson.

Stephanie Lease from Waunakee and a student at the University of Wisconsin-Madison, guest and intern of Representative Hixson.

Sam Jefferies, guest and intern of Representative Hraychuck.

Ashley Siefert, guest and intern of Representative Hraychuck.

Andrew Fisher, guest and intern of Representative Hintz.

Peter Joseph Barca, son and guest of Representative Barca.

Former Assembly Majority Leader James Wahner from Mequon, guest of Representative Kessler.

Thomas Cook of Rehab for Wisconsin, guest of Representative Kessler.

Jeff and Monica Yugas from Pleasant Prairie, guests of Representative Steinbrink.

Laura Clark, guest and intern of Representative M. Williams.

Rebecca, Ella Rose and Violet, wife and daughters of Representative Kleefisch.

Grace Tran, guest and intern of Representative Pasch.

Students from the Wisconsin English as a Second Language Institute, representing the countries of Saudi Arabia, Japan, Thailand, Taiwan, Burkina Faso, and Korea guests of Representative Montgomery.

Abigail Popp, guest and staff member of Representative Molepske.

Ben and Kay Corder and Dale and Marilyn Hofstetter, visiting from Missouri for the International Airstream Rally, guests of Representative Montgomery.

Brian Walters, Business Manager at the Westfield School District, guest of Representative Nygren.

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### **ANNOUNCEMENTS**

Representative Pridemore asked unanimous consent that the Assembly adjourn in memory of his father, Floyd W. Pridemore, who passed away on May 21. Granted.

Representative Hintz asked unanimous consent that the Assembly adjourn in memory of James "Jim" Wallace Boycks, father of staff member Brad Boycks, who passed away on June 2. Granted.

Representative Hixson asked unanimous consent that the Assembly adjourn in memory of Judi Kneece from Janesville, who passed away on May 17. Granted.

Representative Hraychuck asked unanimous consent that the Assembly adjourn in memory of Wisconsin State Trooper Jorge Dimas, who died in the line of duty on June 14. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in memory of Kenneth Johnson, who passed away June 12. Granted.

Representative Pasch asked unanimous consent that the Assembly adjourn in memory of Dwayne Benjamin Warren, who passed away on June 16. Granted.

Representative Townsend asked unanimous consent that the Assembly adjourn in honor of Giddings and Lewis Company in Fond du Lac, on the occasion of their 150th anniversary in business. Granted.

Representative Rhoades asked unanimous consent that the Assembly adjourn in honor of her husband, Frank

Rhoades, on the occasion of their 34th wedding anniversary. Granted.

Representative A. Ott asked unanimous consent that the Assembly adjourn in honor of Teaka Griesbach, who received the title of Miss Junior Teen Wisconsin. Granted.

Representatives Kerkman, Barca and Steinbrink asked unanimous consent that the Assembly adjourn in honor of Wilmont High School Boys Baseball Team who will be playing tonight in the WIAA Division I State Championship. Granted.

Representatives Kerkman, Barca and Steinbrink asked unanimous consent that the Assembly adjourn in honor of Kenosha's St. Joseph's High School Boys Baseball Team for winning the WIAA Division III State Championship. Granted.

Representative Molepske asked unanimous consent that the Assembly adjourn in honor of the Stevens Point High School Girls Softball Team who won the WIAA Division I State Championship. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in honor of the Kettle Moraine Lutheran High School Girls Soccer Team who won the WIAA Division III State Championship. Granted.

Representative Spanbauer asked unanimous consent that the Assembly adjourn in honor of the Oakfield Girls Softball Team who won the WIAA Division III State Championship. Granted.

Representative Cullen asked unanimous consent that the Assembly adjourn in honor of the students and staff at Rufus King High School in Milwaukee. Rufus King High School was named the Top Public High School in Wisconsin by Newsweek Magazine. Granted.

Representative Ballweg asked unanimous consent that the Assembly adjourn in honor of Jecel Gerner from Markesan,

for her successful track career at Markesan High School. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the Sun Prairie Civic Theatre on the occasion of their 40th Anniversary. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the president and vice president of the Sun Prairie Civic Theatre, Frank Peot & Kayse Wichelt. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Michael Thompson of Sun Prairie, who was named deputy state superintendent. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Sun Prairie High School Athletic Director Jim McCowry, who was recently named District 5's 2009 Athletic Director of the Year. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Verlyn & Evelyn Kahl, on the occasion of their 60th wedding anniversary on June 21st. Granted.

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## ADJOURNMENT

Representative Nelson moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, June 23.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

2:44 P.M.